

# House Study Bill 135

SENATE/HOUSE FILE \_\_\_\_\_  
BY (PROPOSED IOWA FINANCE  
AUTHORITY BILL)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act relating to the Iowa finance authority by providing  
2 immunity for board members, providing administrative authority  
3 for the executive director, eliminating duties of the council  
4 on homelessness, defining projects under the bond bank  
5 program, and defining assets in, and providing for the use of  
6 moneys in, the housing trust fund.  
7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
8 TLSB 1364XD 83  
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1 1 Section 1. Section 16.1, subsection 1, paragraph ae,  
1 2 subparagraph (3), Code 2009, is amended to read as follows:  
1 3 (3) Any project for which tax exempt financing is  
1 4 authorized by the Internal Revenue Code, together with any  
1 5 taxable financing necessary or desirable in connection with  
1 6 such project, which the authority finds furthers the goals of  
1 7 the authority and is consistent with the legislative findings.  
1 8 Sec. 2. Section 16.2, Code 2009, is amended by adding the  
1 9 following new subsection:  
1 10 NEW SUBSECTION. 9. Neither members of the authority, nor  
1 11 persons acting on behalf of the authority while acting within  
1 12 the scope of their agency or employment, are subject to  
1 13 personal liability resulting from carrying out the powers and  
1 14 duties in this chapter.  
1 15 Sec. 3. Section 16.6, Code 2009, is amended by adding the  
1 16 following new subsection:  
1 17 NEW SUBSECTION. 4. The executive director may establish  
1 18 administrative divisions within the authority in order to most  
1 19 efficiently and effectively carry out the authority's  
1 20 responsibilities, provided that any creation or modification  
1 21 of authority divisions be established only after consultation  
1 22 with the board of the authority.  
1 23 Sec. 4. Section 16.100A, subsection 9, Code 2009, is  
1 24 amended by striking the subsection.  
1 25 Sec. 5. Section 16.102, Code 2009, is amended to read as  
1 26 follows:  
1 27 16.102 ESTABLISHMENT OF BOND BANK PROGRAM == BONDS AND  
1 28 NOTES == PROJECTS.  
1 29 The authority may assist the development and expansion of  
1 30 family farming, soil conservation, housing, and business in  
1 31 the state through the establishment of the Iowa economic  
1 32 development bond bank program. The authority may issue its  
1 33 bonds or notes, or series of bonds or notes for the purpose of  
1 34 defraying the cost of one or more projects and make secured  
1 35 and unsecured loans for the acquisition and construction of  
2 1 projects on terms the authority determines. ~~For purposes of~~  
2 2 ~~this section, projects shall include any of the following:~~  
2 3 ~~1. The acquisition of agricultural land and improvements~~  
2 4 ~~and depreciable agricultural property by beginning farmers for~~  
2 5 ~~the implementation of permanent soil and water conservation~~  
2 6 ~~practices and the acquisition of conservation farm equipment,~~  
2 7 ~~or any other purpose for which loans may be made by the Iowa~~  
2 8 ~~agricultural development authority pursuant to chapter 175.~~  
2 9 ~~2. A project defined in section 419.1, subsection 12, for~~  
2 10 ~~which bonds or notes may be issued by a city or a county.~~  
2 11 Sec. 6. Section 16.181, subsection 1, paragraph b,  
2 12 subparagraph (1), Code 2009, is amended by striking the  
2 13 subparagraph and inserting in lieu thereof the following:  
2 14 (1) Any moneys received by the authority from the national  
2 15 housing trust fund created pursuant to the federal Housing and

2 16 Economic Recovery Act of 2008, Pub. L. No. 110=289.

2 17 Sec. 7. Section 16.181, subsection 1, paragraph c,  
2 18 subparagraph (2), Code 2009, is amended to read as follows:

2 19 (2) PROJECT=BASED HOUSING PROGRAM. Forty percent of the  
2 20 available moneys in the housing trust fund shall be allocated  
2 21 to the project-based housing program. Any moneys allocated to  
2 22 the project-based housing program on April 1 of each fiscal  
2 23 year which have not been awarded to a local housing trust fund  
2 24 may be transferred to the local housing trust fund program at  
2 25 any time prior to the end of the fiscal year.

2 26 Sec. 8. Section 16.181, Code 2009, is amended by adding  
2 27 the following new subsection:

2 28 NEW SUBSECTION. 2A. From moneys in the housing trust  
2 29 fund, the authority may make low-interest loans to local  
2 30 housing trust funds for purposes of developing and preserving  
2 31 affordable housing for low-income individuals.

2 32 EXPLANATION

2 33 This bill relates to the Iowa finance authority.

2 34 The bill provides that, for purposes of Code chapter 16,  
2 35 the term "project" includes certain projects for which  
3 1 tax-exempt financing is authorized by the Internal Revenue  
3 2 Code, together with any taxable financing necessary or  
3 3 desirable in connection with such project.

3 4 The bill provides that neither members of the authority,  
3 5 nor persons acting on behalf of the authority while acting  
3 6 within the scope of their agency or employment, are subject to  
3 7 personal liability resulting from carrying out the powers and  
3 8 duties in Code chapter 16.

3 9 The bill allows the executive director of the authority to  
3 10 establish administrative divisions within the authority,  
3 11 provided that any creation or modification of authority  
3 12 divisions be established only after consultation with the  
3 13 board of the authority.

3 14 The bill eliminates requirements relating to mandatory  
3 15 issue studies to be conducted by the council on homelessness.

3 16 The bill, under the bond bank program, eliminates defined  
3 17 examples of projects under the program.

3 18 The bill eliminates a provision providing that the assets  
3 19 of the former Iowa housing corporation be included in the  
3 20 assets of the housing trust fund.

3 21 The bill provides that any moneys received by the authority  
3 22 from the national housing trust fund shall be deposited in the  
3 23 housing trust fund.

3 24 The bill provides that any moneys allocated to the  
3 25 project-based housing program under the housing trust fund on  
3 26 April 1 of each fiscal year which have not been awarded to a  
3 27 local housing trust fund may be transferred to the local  
3 28 housing trust fund program under the housing trust fund at any  
3 29 time prior to the end of the fiscal year.

3 30 The bill provides that, from moneys in the housing trust  
3 31 fund, the authority may make low-interest loans to local  
3 32 housing trust funds for purposes of developing and preserving  
3 33 affordable housing for low-income individuals.

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